

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 21-1326 MV**UNITED STATES vs. Espinosa****Before The Honorable Kirtan Khalsa, United States Magistrate Judge**

Hearing Date:	1/31/2023	Time In and Out:	11:17-11:27; 11:47-12:31; 12:46-12:48	
Clerk:	E. Hernandez	Digital Recording:	ABQ-Hondo	
Defendant:	Epifanio Espinosa	Defendant's Counsel:	Wayne Baker and Joseph Shattuck	
AUSA:	Paul Spiers	Interpreter:	N/A	<input type="checkbox"/> Sworn <input type="checkbox"/> Waived
<input checked="" type="checkbox"/> Defendant Sworn <input type="checkbox"/>		First Appearance		
<input checked="" type="checkbox"/> Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.				
<input checked="" type="checkbox"/> Deft acknowledges receipt of: Information				
<input checked="" type="checkbox"/> If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
<input checked="" type="checkbox"/> Terms and conditions of proposed plea agreement explained.		<input checked="" type="checkbox"/> Defendant indicates understanding of its terms.		
<input checked="" type="checkbox"/> Factual predicate to sustain the plea provided.				
<input checked="" type="checkbox"/> Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
<input checked="" type="checkbox"/> Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
<input checked="" type="checkbox"/> Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
<input checked="" type="checkbox"/> Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).				
<input checked="" type="checkbox"/> Deft pleads GUILTY to: Information				
<input checked="" type="checkbox"/> Allocution by Deft on elements of charge(s).				
<input checked="" type="checkbox"/> Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
<input checked="" type="checkbox"/> Deft adjudged guilty.				
<input checked="" type="checkbox"/> Acceptance of plea agreement deferred until final disposition hearing by district judge.				
<input checked="" type="checkbox"/> Sentencing Date: to be notified				
<input type="checkbox"/> Defendant to Remain in Custody				
<input checked="" type="checkbox"/> Present conditions of release continued		<input type="checkbox"/>	Conditions changed to:	
<input checked="" type="checkbox"/> Penalty for failure to appear explained				
<input checked="" type="checkbox"/> Presentence Report Ordered		<input type="checkbox"/>	Expedited (Type III)	
Other Matters: government not seeking detention; defense counsel requests continued release; court finds exceptional circumstances to continue defendant on release; defense requests expedited PSR; expedited PSR not ordered but defense counsel advised to stop by probation following hearing to schedule the interview				